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Group Long Term Disability Plan for
Employees of Oracle America, Inc. and
Hartford Life and Accident Insurance Company*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

DAVE NAGY,

Plaintiff,

v.

GROUP LONG TERM
DISABILITY PLAN FOR
EMPLOYEES OF ORACLE
AMERICA, INC., and HARTFORD
LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendants.

Case No. 14-CV-00038-HSG

**STIPULATION AND ORDER FOR
45-DAY EXTENSION TO
DETERMINE WHETHER NAGY IS
ENTITLED TO BENEFITS UNDER
THE “ANY OCCUPATION”
STANDARD OF THE HARTFORD
DISABILITY POLICY**

Honorable Haywood S. Gilliam, Jr.

Plaintiff Dave Nagy (“Plaintiff” or “Nagy”) and Defendants Group Long
Term Disability Plan for Employees of Oracle America, Inc. (“the Plan”) and
Hartford Life and Accident Insurance Company (“Hartford”) (collectively
“the Parties”), hereby stipulate and agree as follows:

1 WHEREAS on April 22, 2016 this Court issued an interlocutory order
 2 finding Nagy was entitled to disability benefits between September 13, 2011 and
 3 January 16, 2013. The Court further ordered that Nagy's claim be remanded to
 4 Hartford for further proceedings to determine whether Nagy is entitled to benefits
 5 under the "any occupation" standard under the Hartford disability policy.

6
 7 WHEREAS, in the Judgment this Court entered, it required that Hartford's
 8 decision under the "any occupation" standard shall be made within 90 days of the
 9 Court's April 22, 2016 Order, "absent tolling pursuant to ERISA regulations, the
 10 parties' stipulation and/or a further order of this Court."

11
 12 WHEREAS, the parties are cooperating to obtain the necessary information
 13 to allow Hartford to conduct a proper review under ERISA, but Hartford is still
 14 waiting on certain outstanding information, including medical and (possible)
 15 vocational reviews. This information is necessary for Hartford to complete its
 16 "any occupation" analysis in accordance with 29 CFR. 2560.503-1, before its final
 17 decision is presented to this Court.

18
 19 WHEREAS, the parties stipulate that Hartford may have an extension of
 20 approximately 45 days, from July 22, 2016 to **September 6, 2016** to determine
 21 whether Nagy is entitled to benefits under the "any occupation" standard under the
 22 Hartford disability policy and thus jointly request that this Court allow such an
 23 extension.

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1 IT IS SO STIPULATED.

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3 Dated: July 8, 2016

Law Offices of Laurence F. Padway

4
5 By: /s/ Laurence F. Padway
6 [As authorized on July 8, 2016]
7 Laurence F. Padway
8 Attorneys for Plaintiff David Nagy

9
10 Dated: July 8, 2016

Burke, Williams & Sorensen, LLP


11 By: /s/ Michael B. Bernacchi
12 Michael B. Bernacchi
13 Attorneys for Defendants Group Long
14 Term Disability Plan for Employees of
15 Oracle America, Inc. and Hartford Life
16 and Accident Insurance Company

17
18 **ORDER**

19 Pursuant to stipulation, and good cause appearing, IT IS HEREBY
20 ORDERED that Hartford shall have an additional 45-day extension, from July 22,
21 2016 to **September 6, 2016**, to make its decision whether Nagy is entitled to
22 benefits under the “any occupation” standard.

23 IT IS SO ORDERED.

24
25 Dated: July 11, 2016

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27 
28 Hon. Haywood S. Gilliam, Jr.
United States District Judge